



PUBLIC NOTICE

Federal Communications Commission
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DA 07-2522

Released: June 21, 2007

PUBLIC SAFETY AND HOMELAND SECURITY BUREAU ACTION

PLEADING CYCLE EXTENDED IN THE MATTER OF PETITION FOR EXPEDITED RULEMAKING TO ESTABLISH TECHNICAL REQUIREMENTS AND STANDARDS PURSUANT TO SECTION 107(b) OF THE COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT (CALEA)

RM-11376

Comments Due: July 25, 2007

Reply Comments Due: September 25, 2007

On May 15, 2007, the United States Department of Justice, the Federal Bureau of Investigation, and the Drug Enforcement Administration (“Petitioners”) filed a “Petition for Expedited Rulemaking” requesting the Commission to initiate a proceeding to find that the J-STD-025-B standard published jointly by the Telecommunication Industry Association and the Alliance for Telecommunications, is deficient pursuant to Section 107(b) of the Communications Assistance for Law Enforcement Act (“CALEA”), 47 U.S.C. 1006(b).¹ Petitioners specifically contend that four additional or modified intercept capabilities must be included in the J-STD-025-B with respect to CDMA2000 packet data wireless services, pursuant to the requirements of CALEA Section 103(a), 47 U.S.C. § 1002(a). These capabilities are: packet activity reporting; provision of more granular mobile handset location information at the beginning and end of a communication; service quality, including security, performance and reliability requirements; and timing information (time stamping). Petitioners ask the Commission to mandate these capabilities, adopt appropriate rules, and order telecommunications carriers to provide the capabilities within twelve months after the effective date of a final Commission order.

Petitioner’s CALEA Section 107(b) filing requires the Commission to undertake a detailed analysis of complex technical and legal issues associated with each of the four intercept capabilities identified in the petition. Although the Commission appreciates the need to move quickly to address the petition, it is essential that commenters have the opportunity to develop a full and detailed record for the Commission’s consideration. Accordingly, on its own motion and pursuant to delegated authority, the

¹ The petition appeared on Public Notice on May 25, 2007 and interested parties were afforded thirty days to file comments and sixty days to file replies. See Consumer & Governmental Affairs Bureau Reference Information Center Petition for Rulemakings Filed, *Public Notice*, Report No. 2816, Daily Digest (May 25, 2007).

Public Safety and Homeland Security Bureau hereby extends the comment and reply comment filing dates in the above-referenced matter as follows: interested parties may file comments on or before **July 25, 2007** and reply comments on or before **September 25, 2007**. See 47 U.S.C. § 154(i); 47 C.F.R. §§ 0.191, and 0.392.

The Commission expects that all parties will fully utilize this opportunity to carefully and completely address in their filed comments all relevant issues. The Commission reiterates, however, its desire to expeditiously address Petitioners' request. No additional extensions of comment and reply comment dates should be expected.²

All comment and reply comment filings should refer to **RM-11376**. Comments and reply comments may be filed by using (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998).

- Electronic Filers: Comments and reply comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, in completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov and include the following words in the body of the message: "get form." A sample form and directions will be sent in response.
- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although the Commission continues to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to: Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, M.D. 20743.

² On June 8, 2007, CTIA – The Wireless Association® ("CTIA") filed a "Request for Extension of Comment Deadlines," and on June 12, 2007, the Telecommunications Industry Association ("TIA") filed a "Request for Extension of Time," both seeking a thirty (30) day extension of the comment and reply comment due dates, to July 25 and August 24, 2007. Our *sua sponte* extension of the filing deadlines renders these two requests moot.

- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.
- People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, D.C. 20554. Parties should also send a copy of their filings to David O. Ward, Senior Attorney, Public Safety and Homeland Security Bureau, Federal Communications Commission, Room 7-A623, 445 12th Street, SW, Washington, D.C. 20554, or by e-mail to David.Ward@fcc.gov. Parties must also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

Documents in RM-11376 are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, D.C. 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail fcc@bcpiweb.com.

For further information regarding this proceeding, contact Thomas J. Beers, Deputy Chief, Policy Division, Public Safety and Homeland Security Bureau, (202) 418-0952.

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